

### **III.A.1.b**

**MEMO TO:** City Council

**FROM:** Rosemarie Ives, Mayor

**QUASI-JUDICIAL**

**DATE:** September 12, 2006

**SUBJECT: ORDINANCE: HANSON PLANNED RESIDENTIAL  
DEVELOPMENT (PRD), L050339**

**I. RECOMMENDED ACTION**

By motion, adopt the attached ordinance approving the Hanson Planned Residential Development, subject to the conditions outlined in the Hearing Examiner's report dated June 1, 2006.

**II. DEPARTMENT CONTACT PERSONS**

Rob Odle, Director, Planning and Community Development Department, 425-556-2417  
Judd Black, Development Review Division Manager, 425-556-2426  
Kerry Kriner, Associate Planner, 425-556-2464

**III. DESCRIPTION/BACKGROUND**

The applicant is requesting Planned Residential Development approval to construct 12 single-family attached structures on 24 lots on a 3.99 acres site in the R-5 zoning district. The subject property is located on the north side of Redmond Way west of 139<sup>th</sup> Avenue NE. The Hearing Examiner approved the Preliminary Plat with conditions and is recommending approval of the Planned Unit Development with conditions.

The Hearing Examiner held the public hearing for this project on May 8, 2006. A copy of the Hearing Examiner agenda was sent to the Council prior to the hearing. The Hearing Examiner also heard testimony regarding an appeal of the City's SEPA threshold determination. The appeal was filed by the Lake Washington School District contending the applicant's Environmental Checklist did not adequately address impacts of the development on schools. A copy of the Technical Committee report to the Hearing Examiner is provided separately to the City Council. The Findings of Fact, Conclusions, and Recommendations of the Hearing Examiner for this application were provided to the City Council on June 1, 2006. The reconsideration period for this project expired on June 15, 2006.

Requests for Reconsideration of the Examiner's decision on the appeal of the DNS were filed by both the Lake Washington School District and the applicant. The applicant also filed a Request for Reconsideration of a frontage improvement condition associated with

the preliminary plat approval. Copies of the Hearing Examiner's reports are available from the project planner.

#### IV. IMPACT

- A. **Service Delivery:** Staff does not anticipate a significant impact in service delivery needs as a result of the approval of this project.
- B. **Fiscal:** Staff does not anticipate a significant fiscal impact as a result of the approval of this project.

#### V. ALTERNATIVES

- A. **Approve the Hearing Examiner's recommendation.** The Hearing Examiner is recommending approval of the Hanson Planned Residential Development (PRD) with conditions. This recommendation includes modifications to the zoning standards allowed under the PRD provisions of the Redmond Community Development Guide. Approval of this recommendation will allow the project to move forward as designed.
- B. **Approve the Hearing Examiner's recommendation with modifications.** The City Council may choose to approve the Hearing Examiner's recommendation with modifications, based on Council findings that alternative conditions will better implement adopted regulations. This action will likely result in a redesign of the project.
- C. **Not approve the Hearing Examiner's recommendation.** The City Council may choose not to approve the Hanson Planned Residential Development based on findings that the project, as designed, is inconsistent with adopted regulations. This action will result in the developer having to redesign the project or not pursue the project.
- D. **Remand the application to the Hearing Examiner for additional review limited to specific issues identified by the Council.** The City Council may identify specific issues that may be addressed before a decision can be issued. These issues may be remanded to the Hearing Examiner and the applicant for further review. Upon resolving the issues, the application can be brought back before the City Council with an ordinance for consideration.

#### VI. TIME CONSTRAINTS

There are no specific time constraints regarding the approval of this project; however, state law requires timely processing of development applications.

**VII. LIST OF ATTACHMENTS**

**Attachment A:** Ordinance Adopting the Hearing Examiner's Findings, Conclusions, and Recommendations for the Hanson Planned Residential Development, L050339, dated June 1, 2006

**Attachment B:** Hanson PRD Site Plan

<u>/s/</u>	<u>8/31/06</u>
Robert G. Odle, Planning Director	Date

Approved for Council Agenda: <u>/s/</u>	<u>9/1/06</u>
Rosemarie Ives, Mayor	Date

# ATTACHMENT A

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, ADOPTING THE HEARING EXAMINER'S JUNE 1, 2006, RECOMMENDATION TO APPROVE WITH CONDITIONS THE HANSON PLANNED RESIDENTIAL DEVELOPMENT AND ESTABLISH AN EFFECTIVE DATE.

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WHEREAS, D. R. Horton, herein referred to as applicant, submitted an application to develop a 24-lot, planned residential development (PRD) on 3.99 acres located at 13646 NE Redmond Way; and

WHEREAS, a planned residential development is a Type IV permit decision; and

WHEREAS, the Redmond Community Development Guide authorizes the Hearing Examiner to conduct an open record hearing for the preliminary plat and make findings of fact, conclusions of law, and conditions of approval for the preliminary plat; and

WHEREAS, the Redmond Community Development Guide authorizes the Hearing Examiner to conduct an open record hearing for the planned residential development and make a recommendation with findings of fact, conclusions of law and conditions of approval for the PRD to the City Council for consideration; and

WHEREAS, on May 8, 2006, the Hearing Examiner conducted an open record hearing to receive and review the application record and to hear verbal testimony relative to the Hanson Planned Residential Development (L050339) and Preliminary Plat (L050338); and

WHEREAS, on June 1, 2006 (and as amended on July 5, 2006), the Hearing Examiner conditionally approved the Hanson preliminary plat (L050338) and recommended approval of the Hanson PRD (L050339) subject to conditions, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. Findings, Conclusions, and Conditions of Approval. After carefully reviewing the record and considering the evidence and argument in the record and in the Hearing Examiner's recommendation, the City Council hereby adopts the findings, analysis, and conclusions in the Hearing Examiner's recommendation for the Hanson PRD dated June 1, 2006.

Section 2. Approval. The City Council hereby approves the Hanson Planned Residential Development, subject to the conditions of approval identified in the Hearing Examiner's recommendation dated June 1, 2006.

Section 3. Duties of Planning Director. The Planning Director is hereby authorized and directed to make any appropriate notations on the official zoning map of the city in order to reflect the approval of the PRD as provided in this ordinance.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 5. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City's legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

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ROSEMARIE IVES, MAYOR

ATTEST/AUTHENTICATED:

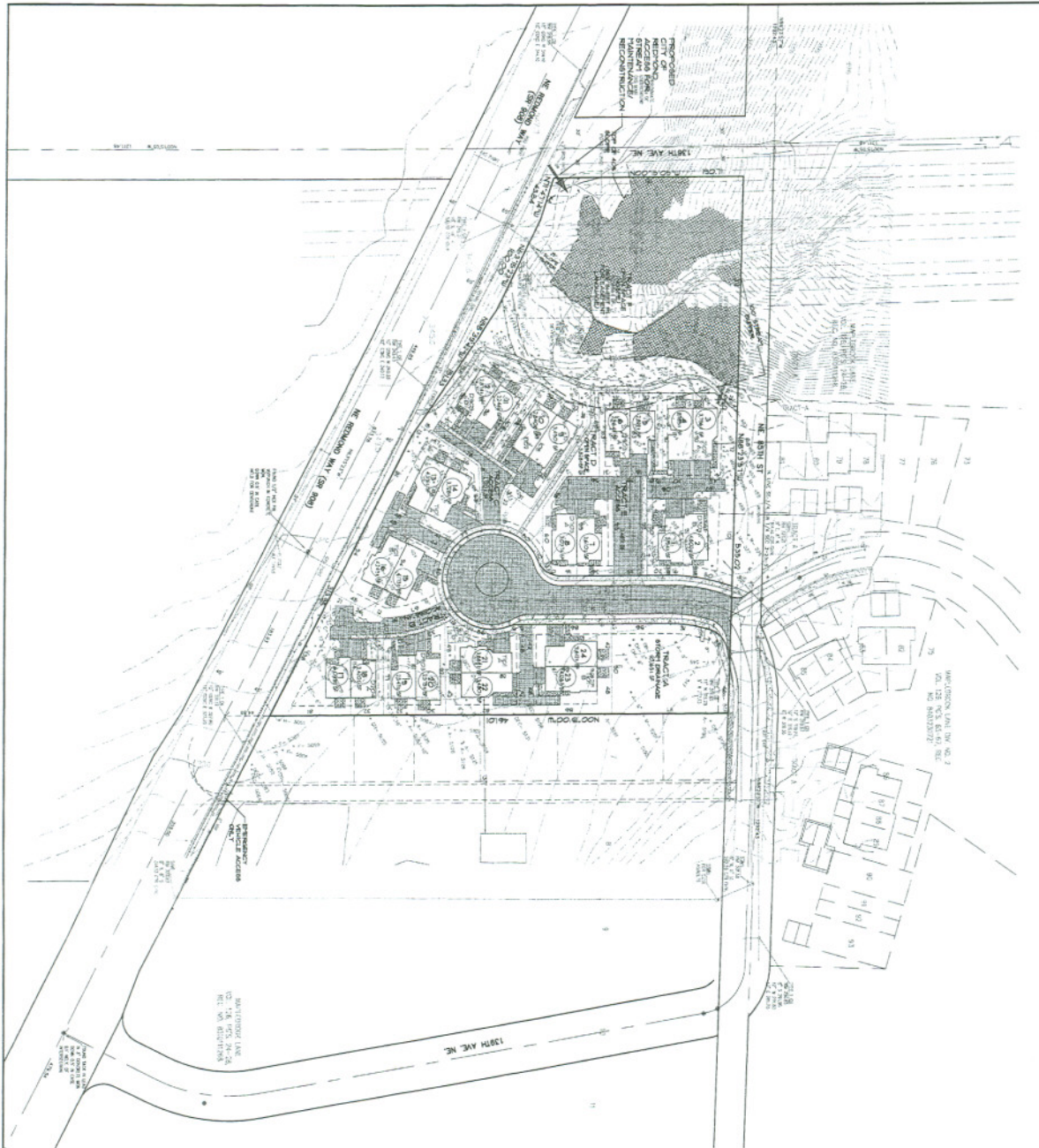
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MALISA FILES, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: \_\_\_\_\_

FILED WITH THE CITY CLERK:  
PASSED BY THE CITY COUNCIL:  
SIGNED BY THE MAYOR:  
PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO.: \_\_\_\_\_

# ATTACHMENT B



S.W. 1/4 SEC. 3, TWP. 25 N., RGE. 5 E., W.M.



SCALE: 1" = 50'



## BASIS OF BEARINGS

ALL BEARINGS ARE TRUE BEARINGS EXCEPT 17 1/2° S. 88° E. CORNER AND 10° S. 80° E. CORNER WHICH ARE 1/4 SECTION CORNER. ALL OTHER BEARINGS ARE TRUE BEARINGS. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTER LINE OF THE ROAD OR RAILROAD OR ALONG THE CENTER LINE OF THE LOT OR ALONG THE CENTER LINE OF THE SECTION OR ALONG THE CENTER LINE OF THE TOWNSHIP OR ALONG THE CENTER LINE OF THE RANGE OR ALONG THE CENTER LINE OF THE MERIDIAN.

## DATUM

NAD 83, OR 1983 EDITION OF NAD, (GEOID OR MEAN SEA LEVEL)

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14711 NE 29th Place Suite 101  
Bellevue, Washington 98007  
425.885.7877 Fax 425.885.7943



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**P.R.D. SITEPLAN**  
**HANSON PROPERTY P.R.D.**  
**D.R. HORTON**  
12831 N.E. 126TH PL.  
KIRKLAND, WASHINGTON 98034

DATE	AUGUST 2005
DESIGNED	BWN
DRAWN	LRB
APPROVED	MC
JAMES A. OLSEN, P.E.	PROJECT MANAGER
P4	11
PROJECT NUMBER	05063